



## **Notice of Action Form Instructions**

### **REQUIREMENTS**

#### **Prior Written Notice**

Written prior notice must be given to the parents of a child eligible under Part C in a reasonable time before a public agency or service provider proposes, or refuses, to initiate or change the identification, evaluation, or placement of the child, or the provision of appropriate early intervention services to the child or the child's family.

#### **Informed Parental Consent**

Written parental consent must be obtained before

- Conducting the initial evaluation and assessment of a child under Sec. 303.322 (this includes the family assessment)
- Initiating the provision of early intervention services.

### **IMPLEMENTATION IN FIRST STEPS SYSTEM**

#### **Provision of Written Notice with Consent for Initial Evaluation/Assessment**

Before initiating any activities in relation to the initial evaluation/assessment of the child or the Family Assessment, the Service Coordinator must provide the parent with a Written Notice informing the parent of the

- The action(s) proposed
- The reason for the action

On the Notice of Action form, the service coordinator would check in front of the space for (✓) Initial evaluation/assessment and then for (✓) Family Assessment.

Under "Reasons for the Action" the Intake Service Coordinator would indicate the specific reason (s) for the action. In this case, it would probably be "To determine the child's eligibility for First Steps based upon a referral from \_\_\_\_\_."

And

"To conduct a Family Assessment to determine the resources, priorities and concerns of the family and the identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of the child."

#### **Provision of Written Notice with Consent for Initiation of Early Intervention Services**

Before initiating any Early Intervention Service the Service Coordinator must provide the parent with a Written Notice informing the parent of the

- The action(s) proposed
- The reason for the action

On the Notice of Action form, the service coordinator would check in front of the space for (✓) Initiation of Early Intervention Services.

Under "Reasons for the Action" the Service Coordinator would indicate the specific reason (s) for the action. In this case, it would probably be " Initiation of \_\_\_\_\_ service(s) to help reach the identified outcome(s) in the Individual Family Service Plan"

### **Provision of Parent's Rights Brochure**

The Notice must be accompanied by copy of the Parent's Rights Brochure.

### **Consent Section 1**

The Service Coordinator must have the parent's signature and date of the signature prior to beginning to conduct any evaluation/assessment activities or initiating any early intervention services for the child or the child's family. The Service Coordinator also must be careful to document the date the parent's signed consent was received, as no evaluation/assessment or early intervention service can begin prior to that date.

### **Consent Section 2**

Does not apply in this case.

### **Provision of Notice/Consent for Initiation of Early Intervention Services**

This is provided for in the IFSP document. The Service Coordinator will want to be sure that the parent is provided with a copy of the Parental Rights Brochure the first time Early Intervention Services are initiated and anytime thereafter if services are added and parental consent is required.

### **Provision of Notice, NO Consent Required**

The service coordinator will also need to provide the parent with a Notice of Action at the other times listed below:

- If the child is found ineligible for First Step services
- If there is a change in eligibility
- If there is a change in placement (primary setting)
- Whenever there is a change in Early Intervention services (but parental consent is not required)

In the above cases, the service coordinator will check the appropriate Action that is being proposed or refused on the Notice form.

The "Reason for the Action" will be filled in.

### **Section 1** (consent)

Will not apply in these cases, as no parent consent is required.

## **Section 2**

Parents in order to invoke “stay put” have 10 days from the date that an agency proposes or refuses to take an action, to file a request for a Due Process Hearing. The parent may also “waive” this 10 days if they are in agreement with the action and desire the action to be carried out immediately.

For the actions noted above, the parent will need to indicate in Section 2 if they wish to Waive the 10 days. Again, the service coordinator needs to document the date that they received the information from the parent.

## **Provision of Parent’s Rights Brochure**

A copy of the Parent’s Rights Brochure must accompany the Written Notice.